



**MICHIGAN**  
**HOUSE OF REPRESENTATIVES**  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

**MINUTES OF THE COMMITTEE**  
**ON**  
**JUDICIARY**

Tuesday, April 21, 2015                      12:00 p.m.                      Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of April 14, 2015. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid before the committee HB 4419:

HB 4419 (Heise)                      Criminal procedure; sentencing; 2-year mandatory sentencing requirement for felony firearm conviction; eliminate.

Representative Heise moved to report with recommendation that HB 4419 be referred to the House Committee on Criminal Justice. The motion prevailed 10-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Guerra.

Nays: None.

Pass: None.

Chairman Kesto laid before the committee HB 4420:

HB 4420 (Gay-Dagnogo)              Criminal procedure; sentencing guidelines; sentencing guidelines for crime of felony firearm; provide for.

Representative Lucido moved to report with recommendation that HB 4420 be referred to the House Committee on Criminal Justice. The motion prevailed 11-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Chairman Kesto laid before the committee SB 85:

SB 85 (Hildenbrand)                      Weapons; firearms; definition of pneumatic guns; provide for, and prohibit certain regulations by local units of government.

Dakota Moore, representing the National Rifle Association-Institute for Legislative Action (NRA-ILA), testified in support of the bill. Questions and discussion followed.

Representative Irwin offered the following amendment to SB 85:

1. Amend page 3, following line 16, by inserting:  
**"(E) REQUIRING THAT EACH TOY, LOOK-ALIKE, OR IMITATION FIREARM HAVE THE DISTINCTIVE MARKINGS OR DEVICES REQUIRED BY 15 USC 5001(B) AND 15 CFR 272.3."**

Representative Irwin moved to adopt the amendment to the bill. The motion did not prevail 4-7-0.

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Irwin, Robinson, Chang, Guerra.

Nays: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad,

Pass: None.

Representative Irwin offered the following amendments to SB 85:

1. Amend page 2, line 5, after "township," by inserting "**SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,**".
2. Amend page 3, following line 16, by inserting:  
**"(E) ENFORCING SCHOOL SAFETY POLICIES REGARDING POSSESSION OF WEAPONS ON SCHOOL PROPERTY."**

Representative Irwin moved to adopt the amendments to the bill. The motion did not prevail 4-7-0.

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Irwin, Robinson, Chang, Guerra.

Nays: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad

Pass: None.

Representative Lucido moved to report out SB 85 with recommendation. The motion prevailed 8-3-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Guerra.

Nays: Reps. Irwin, Robinson, Chang.

Pass: None.

Chairman Kesto laid before the committee SB 72:

SB 72 (Jones)            Health; medical marihuana; authorization of medical marihuana in certain places; restrict.

Denise Pollicella, representing Michigan Cannabis Development Association, testified in support of the bill.

Matthew Abel, representing Michigan NORML, testified in opposition to the bill.

The following individuals submitted cards on the bill but did not wish to speak:

David Brogen, Cannabis Patients United, opposed.

Tabitha Zimny, Apartment Association of Michigan, support.

Tabitha Zimny, Rental Property Owners Association of Michigan, support.

Representative Howrylak offered the following amendment to SB 72:

1. Amend page 2, line 8, by striking out all of subparagraph (C).

Representative Howrylak moved to adopt the amendment to the bill. The motion prevailed 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Lucido moved to report out SB 72 with recommendation, as amended, as substitute H-1. The motion prevailed 8-3-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Guerra.

Nays: Reps. Irwin, Robinson, Chang.

Pass: None.

Chairman Kesto laid before the committee an overview presentation on the Medical Marihuana Act.

Ken Stecker, representing the Prosecuting Attorneys Association of Michigan, gave a

presentation on the Medical Marihuana Act. Questions and discussion followed.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 12:54 p.m.

**Representative Klint Kesto, Chair**\_\_\_\_\_

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